

## **FACTSHEET**

**TITLE:** **PRELIMINARY PLAT NO. 02023, EDENTON WOODS**, requested by Engineering Design Consultants on behalf of Caseyco, for 46 lots for residential development and 5 outlots, with associated waiver requests, on property generally located northeast of the intersection of Ashbrook Drive and Highway 2 (adjacent to the west of the former Pine Lake S.I.D.).

**STAFF RECOMMENDATION:** Conditional approval.

**ASSOCIATED REQUESTS:** Annexation No. 03004 (04-52); Annexation Agreement (04R-56); Change of Zone No. 3387 (04-53); and Special Permit No. 1992, Edenton Woods Community Unit Plan (04R-57).

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 07/09/03  
Administrative Action: 07/09/03

**RECOMMENDATION:** Conditional Approval, with amendments (7-0: Carlson, Duvall, Larson, Krieser, Bills-Strand, Taylor and Steward voting 'yes'; Schwinn absent).

### **FINDINGS OF FACT:**

1. This preliminary plat and the associated annexation request, change of zone request and community unit plan were heard at the same time before the Planning Commission.
2. The applicant has requested the following waivers:
  - Modification to turn-arounds for private roadways
  - To allow lot lines not radial to roadways
  - To allow double-frontage lots
  - Intersection approach grades
  - Sidewalks
  - Block length
3. The staff recommendation of conditional approval, including approval of all waiver requests except the modification to turn-arounds for private roadways, is based upon the "Analysis" as set forth on p.8-10, concluding that, with modifications to the community unit plan and preliminary plat, the development proposal complies with the Zoning Ordinance, the Land Subdivision Ordinance and the Comprehensive Plan.
4. These applications were heard by the Planning Commission on July 9, 2003. The applicant's testimony is found on p.13-14, including requests for amendments to the conditions of approval on this preliminary plat, resulting in deletion of Condition #1.1.3 and amendment to Condition #1.1.5. Condition #1.1.5 deals with the modification of the turn-around radius which staff had recommended be denied. This Condition was amended to require "adequate" turn-arounds "to the satisfaction of Public Works & Utilities", which the staff accepted.
5. There was no testimony in opposition.
6. On July 9, 2003, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend conditional approval, with amendments deleting Condition #1.1.3 and amending Condition #1.1.5, as set forth on p.2 and p.10 (See Minutes, p.15-16).
7. On July 14, 2003, a letter reflecting the action of the Planning Commission and the amended conditions of approval was mailed to the applicant (p.2-5).
8. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

**FACTSHEET PREPARED BY:** Jean L. Walker

**REVIEWED BY:** \_\_\_\_\_

**REFERENCE NUMBER:** FS\CC\2004\PP.02023

**DATE:** March 15, 2004

**DATE:** March 15, 2004

July 14, 2003

EDC  
Robert Dean  
2200 Fletcher Ave., Ste. 102  
Lincoln, NE 68521

Re: Preliminary Plat No. 02023  
EDENTON WOODS

Dear Mr. Dean:

At its regular meeting on Wednesday, **July 9, 2003**, the Lincoln-Lancaster County Planning Commission granted approval to your preliminary plat, **Edenton Woods**, located in the general vicinity of **northeast of the intersection of Ashbrook Drive and Highway 2**, subject to the following conditions:

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
  - 1.1 Revise the preliminary plat to show:
    - 1.1.1 That area subject to inundation in the event of a dam breach based upon the breach study.
    - 1.1.2 The 100-year storm for the north-south drainage through the site delineated on the plat.
    - ~~1.1.3 No portion of any lot within the 100-year storm or that area subject to inundation by a dam breach. (\*\*Per Planning Commission at the request of the applicant with no objection by staff, 7/09/03\*\*)~~
    - 1.1.4 The dam spillway delineated on the plat.
    - 1.1.5 Adequate turn-arounds with a minimum 30' radius at the ends of both Bo Creek Bay and Bo Creek Court to the satisfaction of Public Works & Utilities. (\*\*Per Planning Commission: 7/09/03)
    - 1.1.6 Utility easements required by the June 12, 2003 L.E.S. review.
    - 1.1.7 A signed surveyor's certificate.

- 1.2 A revised grading and drainage plan approved by Public Works and Utilities including Watershed Management.
2. The City Council approves associated requests:
  - 2.1 Annexation #03004.
  - 2.2 Change of Zone #3387.
  - 2.3 Special Permit #1992.
  - 2.4 An exception to the design standards to permit intersection approach grades in excess of design standards.
  - 2.5 A modification to the requirements of the land subdivision ordinance to permit lot lines not radial to streets; double frontage lots; sidewalks; and block length.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:
  - 3.1 You have completed or posted a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.
  - 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
    - 3.2.1 You must complete, or post a surety to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosion control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, at your own expense, in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.
  - 3.3 You must agree:
    - 3.3.1 To submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

- 3.3.2 To complete the private improvements shown on the preliminary plat and Community Unit Plan.
- 3.3.3 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.
- 3.3.4 To continuously and regularly maintain the street trees along the private roadways.
- 3.3.5 To submit to the lot buyers and home builders a copy of the soil analysis.
- 3.3.6 To pay all improvement costs except those costs the City Council specifically subsidizes as follows:
  - 3.3.6.1 The cost to oversize the water main in Ashbrook Drive from the 6" water main shown to a 12" water main.
  - 3.3.6.2 The cost to extend a water main in North Shore Drive from the east limit of this plat to West Shore Drive.
- 3.4 To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 3.5 To protect the trees that are indicated to remain during construction and development.
- 3.6 To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

The findings of the Planning Commission will be submitted to the City Council for their review and action. You will be notified by letter if the Council does not concur with the conditions listed above.

You may appeal the findings of the Planning Commission to the City Council by filing a notice of appeal with the City Clerk. The appeal is to be filed within 14 days following the action by the Planning Commission. You have authority to proceed with the plans and specifications for the installation of the required improvements after the City Council has approved the preliminary plat. If you choose to construct any or all of the required improvements prior to the City's approval and acceptance of the final

plat, please contact the Director of Public Works before proceeding with the preparation of the engineering plans and specifications. If the required minimum improvements are not installed prior to the City Council approving and accepting any final plat, a bond or an approved Agreement of Escrow of Security Fund is required.

The approved preliminary plat is effective for only ten (10) years from the date of the City Council's approval. If a final plat is submitted five (5) years or more after the effective date of the preliminary plat, the City may require that a new preliminary plat be submitted. A new preliminary plat may be required if the subdivision ordinance or the design standards have been amended.

You should submit an ownership certificate indicating the record owner of the property included within the boundaries of the final plat when submitting a final plat.

The Subdivision Ordinance requires that there be no liens of taxes against the land being final platted and that all special assessment installment payments be current. When you submit a final plat you will be given forms to be signed by the County Treasurer verifying that there are no liens of taxes and by the City Treasurer verifying that the special assessment installment payments are current.

Sincerely,

J. Greg Schwinn, Chair  
City-County Planning Commission

cc: Owner  
Public Works - Dennis Bartels  
LES  
Alltel Communications Co.  
Cablevision  
Fire Department  
Police Department  
Health Department  
Parks and Recreation  
Urban Development  
Lincoln Public Schools  
County Engineers  
City Clerk

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 9, 2003 PLANNING COMMISSION MEETING

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

**\*\*As Revised by Planning Commission: 7/09/03\*\***

**P.A.S.:** -Annexation #03004 - To annex approximately 13.3. acres.  
-Change of Zone #3387 - From AGR to R-3  
-Special Permit #1992 - For a Community Unit Plan (CUP) for attached and detached single-family residences.  
**-Preliminary Plat #02023 Edenton Woods** - Creates 46 lots for residential development, and five outlots.

**PROPOSAL:** To develop an approximately 13 acre parcel to accommodate 46 lots for single-family and attached single-family residential units.

**LOCATION:** Northeast of the intersection of Ashbrook Drive and Highway 2 (adjacent to the west of Pine Lake S.I.D.)

### **WAIVER REQUESTS:**

1. Minimum Lot Area.
2. Turn-arounds for private roadways.
3. Lot lines not radial to roadways.
4. Double-frontage lots.
5. Intersection approach grades.
6. Sidewalks.
7. Block length.

**LAND AREA:** Approximately 13.3 acres.

**CONCLUSION:** With modifications, these requests comply with the Zoning and Land Subdivision Ordinances, and the Comprehensive Plan.

### **RECOMMENDATION:**

Annexation #03004  
Change of Zone #3387

Conditional Approval  
Approval

Special Permit #1992	Conditional Approval
Waiver:	
Minimum Lot Area	Approval
<b><u>Preliminary Plat #02023</u></b>	<b><u>Conditional Approval</u></b>
<b><u>Waivers:</u></b>	
<b><u>Turn-arounds for private roadways</u></b>	<b><u>Denial</u></b>
<b><u>Lot lines not radial to roadways</u></b>	<b><u>Approval</u></b>
<b><u>Double-frontage lots</u></b>	<b><u>Approval</u></b>
<b><u>Intersection approach grades</u></b>	<b><u>Approval</u></b>
<b><u>Sidewalks</u></b>	<b><u>Approval</u></b>
<b><u>Block length</u></b>	<b><u>Approval</u></b>

### **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached.

**EXISTING ZONING:** AGR Agricultural Residential

**EXISTING LAND USE:** Undeveloped

### **SURROUNDING LAND USE AND ZONING:**

North:	Residential	R-1, P
South:	Undeveloped	AGR
East:	Residential	AGR
West:	Church	AGR

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

**Page F25** - This site is designated for urban residential land uses in the Land Use Plan.

**Page F27** - Urban Growth Tiers - This site is within the City's Future Service Limit.

**Page F156** - Subarea Planning - Southeast Lincoln/Highway 2 Subarea Plan.

#### **Southeast Lincoln/Highway 2 Subarea Plan:**

**Figure 2** - Designates urban residential uses for this site.

**Page 9** - Retention of low density residential character; Changes from low density to urban residential. Encourages the type of development being proposed with these applications.

**UTILITIES:** All utilities are available to the site. The trunk sewer line constructed to serve this development is also being extended to connect the Pine Lake S.I.D. and provide that development with sanitary sewer service.

## **HISTORY:**

**May 30, 2003**, the preliminary plat was re-submitted in response to the Director's Letter.

**November 13, 2002**, the Director's Letter review was sent to the applicant.

**October 15, 2002**, the preliminary plat was originally submitted.

**March 26, 2001**, the Southeast Lincoln/Highway 2 Subarea Plan was approved by City Council.

**TRAFFIC ANALYSIS:** The Subarea Plan shows Ashbrook Drive extended to Highway 2. A portion of the extension will be constructed with this plat, and the City is facilitating the design of the remainder of the extension to provide the connection to Highway 2. A street connection to Pine Lake S.I.D. via Northshore Drive is also shown. Ashbrook Drive and Northshore Drive within the boundary of this plat are public streets; Bo Creek Bay and Bo Creek Court are shown as private roadways.

**ENVIRONMENTAL CONCERNS:** This development is downstream of the Pine Lake dam structure. A dam breach analysis was required to be completed to ensure this development was not creating lots that may be threatened by failure of the dam. Also, preservation of the existing trees and the drainage channel through the site was a concern.

## **ANALYSIS:**

1. This area is contiguous to the city and the proposed annexation is in conformance with the Comprehensive Plan. It is within the Future Service Limit, and the developer's financial responsibility regarding off-site infrastructure improvements will be addressed in the annexation agreement.
2. The special permit for a community unit plan is consistent with the subarea plan that designates urban residential uses for this site, shows the street connection to Northshore Drive, and provides for the eventual extension of Ashbrook Drive to Highway 2.
3. The waiver to minimum lot area will allow for some of the lots to be smaller than the 5,000 square foot minimum required in the R-3 district when associated with a CUP. Generally, these lots will be used for attached single-family residences. The remaining lots are for detached residences, and the majority of them exceed 6,000 square feet in area. Providing a mix of housing types is encouraged, and this waiver will facilitate that and should be granted. The average lot area including open space exceeds the minimum lot area of the R-3 district.
4. A waiver to turn-arounds was requested, and pertains to Bo Creek Bay and Bo Creek Court. However, the Design Standards do not include a specific requirement that turn-arounds be provided for private roadways so a waiver is not required. But recognizing the need for all vehicles including emergency responders to be able to turn around at the end of a street without either backing-up or pulling into a driveway, a minimum 30' radius turn-around is recommended. The plat shows hammerhead turn-arounds at the ends of both streets, but should be revised to show 30' radius cul-de-sacs.
5. A waiver to lot lines not radial to streets is requested to facilitate the construction of attached residences. This affects only Lots 15 and 16, Block 1 and is appropriate.



6. The proposed layout preserves the existing drainage through the site and backs homes onto it. This means the street serving Lots 11-16, Block 2 is placed on the east side of the lots. The result is that the adjacent lots in Pine Lake S.I.D. become double-frontage lots. Given the choice of having the street along the drainage or as shown, the proposed location is more appropriate. However, as the back yard of the existing residences in Pine Lake S.I.D. will abut this street, it's appropriate that it be screened to mitigate the impact of automobile traffic. The position of the private roadway would allow the abutting lots in Pine Lake to subdivide and use the private roadway as access to the new lots.
7. The connection to Northshore Drive is shown, and extends to Ashbrook Drive. Constructing this connection means utilizing existing grades that are established within Pine Lake, and they do not allow for compliance with current Design Standards without significant fill on lots within the S.I.D. A waiver to Design Standards has been requested, and Public Works is recommending approval.
8. A waiver to block length is requested, and applies to Block 1. The property adjacent to the west is owned by the Berean Church, and staff has been informed by the Church that there are future plans to expand the church. This expansion will be accompanied by an expanded parking lot that will eventually extend up to the west boundary of this plat. The likelihood of any future street extending across the Church property is remote, so the need to provide a street connection to the west through this development is eliminated. Likewise for a pedestrian connection through Block 1 to the Berean Church property, as there is no need to provide a pedestrian connection to a private parking lot. As a result, waivers to both block length and pedestrian connection are appropriate.
9. A request to waive the sidewalk along the east side of the private roadway adjacent to Pine Lake S.I.D. is also requested - a sidewalk along the west side is being provided. If the adjacent lots in the S.I.D. were to be subdivided, the sidewalk should be provided. However, given the location of the residences on the lots in Pine Lake, it is unlikely those lots can be subdivided and homes would face upon the private roadways. Additionally, there are not sidewalks within Pine Lake S.I.D., so there will be no sidewalk connection east of the intersection of Northshore Drive and the private roadway at this time. However, in the event sidewalks are constructed in the future, the sidewalks shown along Northshore Drive within this plat must be extended to the east boundary of the plat.
10. This development is located adjacent to Pine Lake S.I.D., and west of the Pine Lake dam structure. It is important that this development take into account the existence of the dam, and be designed to account for a failure of that structure. As a result, the developer was required to perform a breach analysis to simulate a dam failure to ensure that this development would not be creating lots that are potentially in harms way, and that it would not intensify flooding downstream during such an event.

During the review of this project, several issues relating to drainage and the breach analysis were raised that must be addressed. The attached reviews from Public Works and Utilities and Watershed Management note these deficiencies. These items must be addressed to the satisfaction of Public Works and Utilities prior to these applications being forwarded to the City

Council. This will include the plat being revised to show the dam spillway, no portion of any lot within the 100-year floodplain, and the minimum opening elevations for all lots adjacent to any drainage area. The lot layout may need to be further revised depending upon how the noted deficiencies are addressed.

## **CONDITIONS:**

### **Preliminary Plat #02023**

#### Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will be scheduled on the City Council's agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
  - 1.1 Revise the preliminary plat to show:
    - 1.1.1 That area subject to inundation in the event of a dam breach based upon the breach study.
    - 1.1.2 The 100-year storm for the north-south drainage through the site delineated on the plat.
    - ~~1.1.3 No portion of any lot within the 100-year storm or that area subject to inundation by a dam breach. (\*\*Per Planning Commission at the request of the applicant with no objection by staff, 7/09/03\*\*)~~
    - 1.1.4 The dam spillway delineated on the plat.
    - 1.1.5 Adequate turn-arounds with a minimum 30' radius at the ends of both Bo Creek Bay and Bo Creek Court to the satisfaction of Public Works & Utilities. (\*\*Per Planning Commission: 7/09/03)
    - 1.1.6 Utility easements required by the June 12, 2003 L.E.S. review.
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    - 3.3.2 To complete the private improvements shown on the preliminary plat and Community Unit Plan.
    - 3.3.3 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property

owners association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

- 3.3.4 To continuously and regularly maintain the street trees along the private roadways.
- 3.3.5 To submit to the lot buyers and home builders a copy of the soil analysis.
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- 3.4 To comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.
- 3.5 To protect the trees that are indicated to remain during construction and development.
- 3.6 To properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

Prepared by:

Brian Will, AICP  
Planner

June 26, 2003

**APPLICANT  
OWNER:**

Caseyco  
c/o Pat Mooberry  
225 North Cotner Blvd  
Lincoln, NE 68505

**CONTACT:**

Robert Dean  
EDC  
2200 Fletcher Avenue      Suite 102  
Lincoln, NE 68521

**ANNEXATION NO. 03004;  
CHANGE OF ZONE NO. 3387;  
SPECIAL PERMIT NO. 1992, EDENTON WOODS  
COMMUNITY UNIT PLAN;  
and  
PRELIMINARY PLAT NO. 02023, EDENTON WOODS**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

July 9, 2003

Members present: Carlson, Duvall, Larson, Krieser, Bills-Strand, Taylor and Steward; Schwinn absent.

Staff recommendation: Approval of the annexation, subject to an annexation agreement; approval of the change of zone; and conditional approval of the community unit plan and preliminary plat.

Ex Parte Communications: None.

Proponents

**1. Mark Hunzeker** appeared on behalf of **Caseyco**, the developer. This project had its origins with some sewer line extensions several years ago up the Beal Slough watershed along Pine Lake Road, through the Home Depot site and up to serve the Edenton South area, Parker's Landing. It is a 13-acre project and four acres is open space, consisting of a 46-unit mixed duplex/townhome and single family home project. There has been a lot of effort to preserve the drainageways and open space. The applicant has no objections to any of the conditions of approval on the community unit plan.

With regard to the preliminary plat conditions, Hunzeker noted that Condition #1.1.3 requires that no portion of any lot within this subdivision be within the 100-year storm elevation or the area subject to inundation by a dam breach. The dam breach study has been done and a lot was eliminated to deal with that. But the 100-year storm elevation as it affects the draw that runs down between the units running north and south between Northshore Drive does create a bit of a problem. Hunzeker pointed out that it is not a requirement of the subdivision ordinance or design standards to keep all of every lot out of the 100-year storm elevation. This is not a designated floodplain. We have calculated a 100-year storm water flow elevation, but virtually every lot in town in the 100-year storm event will have water running on the lot because virtually every subdivision is designed for surface water drainage along lot lines. So there will always be some water in a 100-year storm on virtually every lot. Minimum building opening elevations have been provided on the plat. In order to eliminate any portion of any of these lots being under that 100-year storm elevation, they would have to either reduce the dimensions of the lots which will affect the buildable area, or they will have to do additional grading, which may affect the trees which they are working hard to preserve. This is an unnecessary requirement that is not required by the design standards and Hunzeker requested that Condition #1.1.3 be deleted.

Condition #1.1.5 requires that Bo Creek Bay and Bo Creek Court (the private roadway on the east edge) end in a 30' radius cul-de-sac. Again, Hunzeker pointed out that this is not a design standard

requirement. Large vehicles cannot turn around in a 30' radius. This only affects 5 units on the south side and 7 units on the north side, so the distance to back up is very short. The additional concrete to do a 30' radius cul-de-sac simply chews up green space. Hunzeker believes that the turnarounds will be more than adequate for the residents. Therefore, he requested that Condition #1.1.5 also be deleted.

Bills-Strand noted that Bo Creek Court looks like it ends with a lot on the end of it. So basically it is almost like a private roadway that you have to back out of. Hunzeker stated that there is a turnaround at the end. In order to build a 30' radius cul-de-sac, they would have to pull Lot 17 further to the north. Hunzeker believes it is unnecessary and not required by the design standards. It is additional green space covered up that we want to keep. The roadway is a normal residential street width, 27' back of curb to back of curb, in an outlot that is 60' wide, which is the standard street right-of-way

Carlson asked Hunzeker to again discuss Condition #1.1.3. Hunzeker pointed to the map and suggested that if they are required to keep every square inch of every lot outside the 100-year storm water elevation, they will have to do one of two things: 1) add fill to the back of each of those lots (which possibly would require removal of trees to construct a retaining wall); or 2) shorten up those lots, which is possible under the CUP, but if you shorten up those lots, it affects the buildable area of the lot. The intent is to maintain the trees and keep as much room there as possible for the construction of nice homes.

Hunzeker further pointed out that the applicant must resubmit a grading and drainage plan to the satisfaction of Public Works to address some of the other issues. The applicant has provided for the minimum elevation on any building opening on the lots, and Hunzeker believes there is sufficient elevation difference between the private roadway and the back of those lots to allow walkout basements. In any event, they do have a minimum elevation set and it is included in the plat and will be passed onto the builders.

Larson asked whether Hunzeker was proposing to shorten Lots 15 and 16. Hunzeker stated that they do not want to change them at all. He believes that the proposal as submitted contains the 100-year storm adequately. It may be the case that there will be a little bit of water along the rear property line during the 100 year storm event.

Steward suggested an alternative to the 30' radius, i.e. an L or something approaching a T configuration. It seems that would suggest that you lose Lot 16 or else it would cause a reconfiguration of the widths in order to get a pull-in/back-up condition. Hunzeker commented that the idea of the "hammerhead" turnarounds is to be able to drive in, back up and drive out. But you cannot do that with a truck and that is Steward's concern. Hunzeker suggested that for these distances, most of the time they are going to back out anyway.

There was no testimony in opposition.

Steward clarified that the two issues are the 100-year storm delineation area and the turnaround. With regard to Condition #1.1.3, Chad Blahak of Public Works & Utilities, agreed that there will be flow on any lot, but in this case it appeared by the calculations provided on the plan that the 100-year pool elevation behind the culvert was going to be settling on top of the lots, and that was the issue.

However, given the situation and the green space and trees, and the fact that it is not a requirement of the design standards, Public Works would be willing to eliminate that condition.

With regard to Condition #1.1.5 and the 30' radius, Brian Will of Planning staff indicated that this requirement is a means to provide some method of turnaround for vehicles, including trafficking cars as well as emergency vehicles. Chad Blahak of Public Works further responded that there is not a specific design standard that references private roadways; however, the standards for public roadways that have this type of turnaround specifically state that no direct access will be taken from this type of hammerhead turnaround. Staff would prefer the 30' turnaround.

Steward had offered a possible alternative--rather than this very shallow hammerhead, that, if possible, at least one leg of the turn be made so that you could make a complete turn, back up and come back out the roadway. It probably means losing or decreasing Lot 16, and then below Lot 9, it would seem almost possible, depending on the grade elevation, without any affect on the property. He is looking for an alternative that gives them something more than taking 30'. Blahak suggested that they could make one leg longer but they still have to back up somewhere. If it's a truck, it will need a longer leg on the other side as well. The 30' radius gives you 60 feet across, so you would have the opportunity with a truck to maneuver around better with the 30' radius.

Carlson inquired about the elevation line that would potentially have water being stored on it. Blahak did not have the information available, but during the course of the review by Public Works, their flood elevation at that point put it back into the lots.

Carlson asked whether there has been any contact with the Pine Lake Neighborhood. Brian stated that they were notified and did not comment.

#### Response by the Applicant

Hunzeker does not believe the water is going to encroach very far onto those lots.

Rick Onnen of Engineering Design Consultants discussed the amount of water that will be on the lots and stated that the calculated flow through the channel in a 100 year event would run 2.0 to 2.5 feet deep. 10-12 feet of the rear of the lots would be affected. The contours shown on the map in the staff report are the existing contours.

With respect to the turnarounds, Hunzeker stated that it is not as if this is something that is impossible to meet. It is simply not a requirement and one which we would prefer not be made. With the minimum number of lots being served, he requested relief from Condition #1.1.5. It may be appropriate to require, and suspects that there may be a design standard change coming forward in the future.

Hunzeker also explained that the lots facing the private roadway will be single family patio homes. Thus, Steward commented that more than likely we are not looking at an extra automobile demand on each property.

**ANNEXATION NO. 03004**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

July 9, 2003

Bills-Strand moved approval, subject to an annexation agreement, seconded by Duvall and carried 7-0: Carlson, Duvall, Larson, Krieser, Bills-Strand, Taylor and Steward voting 'yes'; Schwinn absent.

**CHANGE OF ZONE NO. 3387**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

July 9, 2003

Larson moved approval, seconded by Duvall and carried 7-0: Carlson, Duvall, Larson, Krieser, Bills-Strand, Taylor and Steward voting 'yes'; Schwinn absent.

**SPECIAL PERMIT NO. 1992**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

July 9, 2003

Taylor moved to approve the staff recommendation of conditional approval, seconded by Bills-Strand and carried 7-0: Carlson, Duvall, Larson, Krieser, Bills-Strand, Taylor and Steward voting 'yes'; Schwinn absent.

**PRELIMINARY PLAT NO. 02023**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

July 9, 2003

Duvall moved to approve the staff recommendation of conditional approval, with amendment deleting Condition #1.1.3 and Condition #1.1.5, seconded by Bills-Strand.

Taylor is not convinced that Condition #1.1.5 should be deleted.

Taylor made a motion to amend to retain Condition #1.1.5, seconded by Steward.

Bills-Strand is struggling with such a small turnaround. If you have 20 people over and 20 extra cars, how are they going to turnaround adequately to get back out without a lot of congestion? She believes it might be a problem for the residents.

Larson suggested that rather than a 30' radius, he thinks they could construct L's there by moving Lot 17 north a little bit and putting the L to the west. He would prefer that rather than the 30' radius circle.

Carlson suggested the motion could be amended to provide turnarounds to the satisfaction of Public Works and the discussion could continue at City Council.

Larson moved to amend the motion to amend to provide adequate turnarounds at the end of Bo Creek Bay and Bo Creek Court to the satisfaction of Public Works, in replacement of the 30' radius, seconded by Bills-Strand.

This amendment was accepted by Taylor as his motion to amend Condition #1.1.5.



Steward stated that he is not so concerned about the convenience or inconvenience of the persons living on the private roadway. He is more concerned about the congestion at Northshore Drive with backing vehicles when many of the other property owners are trying to come to Northshore. It is irresponsible to not provide better opportunity for emergency vehicles.

Motion to amend Condition #1.1.5, to provide turnarounds at the ends of both Bo Creek Bay and Bo Creek Court to the satisfaction of the Public Works Department, carried 7-0: Carlson, Duvall, Larson, Krieser, Bills-Strand, Taylor and Steward voting 'yes'; Schwinn absent.

Main motion, as amended, deleting Condition #1.1.3 and amending Condition #1.1.5, carried 7-0: Carlson, Duvall, Larson, Krieser, Bills-Strand, Taylor and Steward voting 'yes'; Schwinn absent.

# PRELIMINARY PLAT & C.U.P.

## DEVELOPER

BLVD.

333

## INDEX

1. COVER SHEET/ SITE PLAN
2. GRADING/ DRAINAGE PLAN
3. STREET PROFILES
4. LANDSCAPE PLAN

## LEGAL DESCRIPTION

### PRELIMINARY PLAT & C.U.P. BOUNDARY

LOT 76, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA AND MORE FULLY DESCRIBED AS FOLLOWS:

REFERRING TO THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 15; THENCE: S89°57'52"E, ON THE NORTH LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 15, A DISTANCE OF 2,084.27' TO THE POINT OF BEGINNING; THENCE: S89°57'52"E, A DISTANCE OF 591.63', THENCE: S00°06'58"W, ON THE EAST LINE OF THE SOUTHWEST QUARTER OF SECTION 15, A DISTANCE OF 1080.00', THENCE: N52°06'58"W, A DISTANCE OF 162.00', THENCE: N79°42'41"W, A DISTANCE OF 218.50', THENCE: N89°53'02"W, A DISTANCE OF 151.00', THENCE: S36°01'38"W, A DISTANCE OF 166.24', THENCE: N00°06'58"E, A DISTANCE OF 1076.00' TO THE NORTH LINE OF THE SOUTHWEST QUARTER OF SECTION 15 AND THE POINT OF BEGINNING, CONTAINING 47 LOTS, 5 OUTLOTS, AND A CALCULATED AREA OF 13.296 ACRES MORE OR LESS.

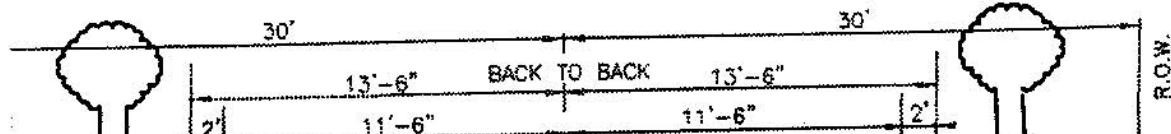
## SURVEYORS' CERTIFICATE

I HEREBY CERTIFY THAT I HAVE CAUSED TO BE SURVEYED THE BOUNDARY OF THE ABOVE PRELIMINARY PLAT AND THAT PERMANENT MONUMENTS HAVE BEEN PLACED OR FOUND AT ALL BOUNDARY CORNERS.

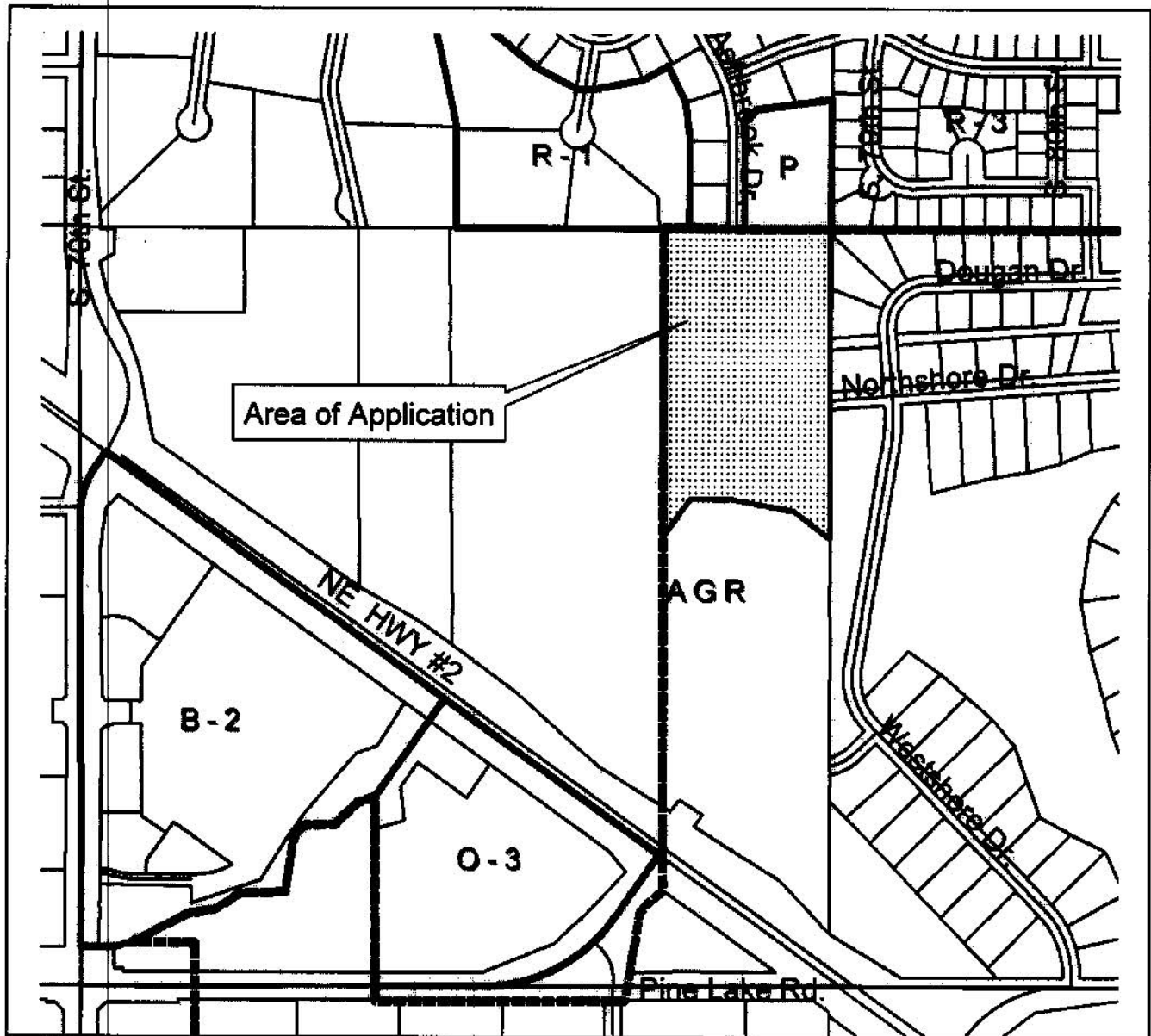
DATE

R. RUSSELL ORR L.S. NO. 516

018





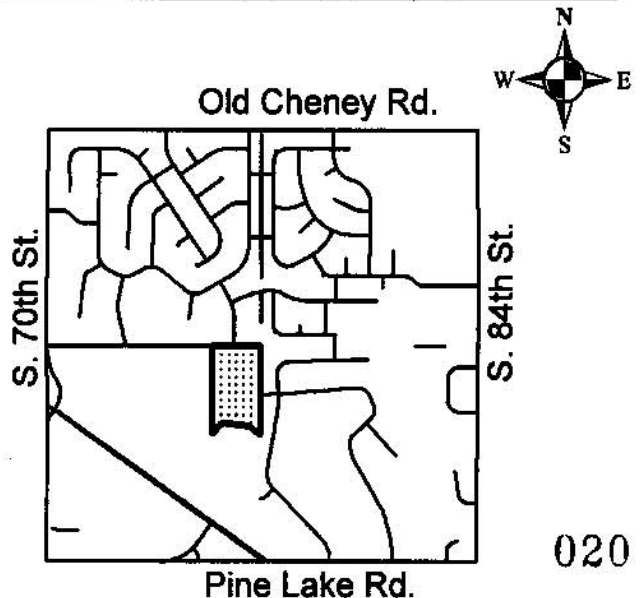


**Preliminary Plat #02023**  
**Change of Zone #3387**  
**Special Permit #1992**  
**Annexation #03004**  
**Edenton Woods**  
**Ashbrook Dr. & Northshore Dr.**

**Zoning:**

- R-1 to R-4 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

**One Square Mile**  
**Sec. 15 T9N R7E**

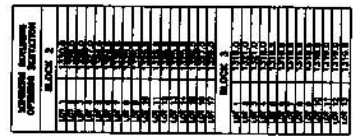






**EDC**

**Edenton Woods**  
Grading/Drainage Plan



### **BENCH MARKS**

1. STATION CHIEFS AT 20%  
4 FREE LANE 6044  
815C TABLE CITY AND
2. TAIL OF JERRY FREE MOUNTAIN  
NE OF FRANKLIN RD NORTH 60TH STREET  
815C TABLE

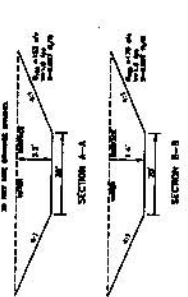


Figure 1: A schematic diagram of a building layout. The building has a central rectangular section and two side wings. The central section is labeled "REAR 2nd FLOOR" and "REAR 1st FLOOR". The left wing is labeled "FRONT 2nd FLOOR" and "FRONT 1st FLOOR". The right wing is labeled "FRONT 2nd FLOOR" and "FRONT 1st FLOOR". The building is surrounded by a fence. The diagram is labeled "Figure 1" and "Figure 2".

1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030	2031	2032	2033	2034	2035	2036	2037	2038	2039	2040	2041	2042	2043	2044	2045	2046	2047	2048	2049	2050	2051	2052	2053	2054	2055	2056	2057	2058	2059	2060	2061	2062	2063	2064	2065	2066	2067	2068	2069	2070	2071	2072	2073	2074	2075	2076	2077	2078	2079	2080	2081	2082	2083	2084	2085	2086	2087	2088	2089	2090	2091	2092	2093	2094	2095	2096	2097	2098	2099	2100	2101	2102	2103	2104	2105	2106	2107	2108	2109	2110	2111	2112	2113	2114	2115	2116	2117	2118	2119	2120	2121	2122	2123	2124	2125	2126	2127	2128	2129	2130	2131	2132	2133	2134	2135	2136	2137	2138	2139	2140	2141	2142	2143	2144	2145	2146	2147	2148	2149	2150	2151	2152	2153	2154	2155	2156	2157	2158	2159	2160	2161	2162	2163	2164	2165	2166	2167	2168	2169	2170	2171	2172	2173	2174	2175	2176	2177	2178	2179	2180	2181	2182	2183	2184	2185	2186	2187	2188	2189	2190	2191	2192	2193	2194	2195	2196	2197	2198	2199	2200	2201	2202	2203	2204	2205	2206	2207	2208	2209	2210	2211	2212	2213	2214	2215	2216	2217	2218	2219	2220	2221	2222	2223	2224	2225	2226	2227	2228	2229	2230	2231	2232	2233	2234	2235	2236	2237	2238	2239	2240	2241	2242	2243	2244	2245	2246	2247	2248	2249	2250	2251	2252	2253	2254	2255	2256	2257	2258	2259	2260	2261	2262	2263	2264	2265	2266	2267	2268	2269	2270	2271	2272	2273	2274	2275	2276	2277	2278	2279	2280	2281	2282	2283	2284	2285	2286	2287	2288	2289	2290	2291	2292	2293	2294	2295	2296	2297	2298	2299	2300	2301	2302	2303	2304	2305	2306	2307	2308	2309	2310	2311	2312	2313	2314	2315	2316	2317	2318	2319	2320	2321	2322	2323	2324	2325	2326	2327	2328	2329	2330	2331	2332	2333	2334	2335	2336	2337	2338	2339	2340	2341	2342	2343	2344	2345	2346	2347	2348	2349	2350	2351	2352	2353	2354	2355	2356	2357	2358	2359	2360	2361	2362	2363	2364	2365	2366	2367	2368	2369	2370	2371	2372	2373	2374	2375	2376	2377	2378	2379	2380	2381	2382	2383	2384	2385	2386	2387	2388	2389	2390	2391	2392	2393	2394	2395	2396	2397	2398	2399	2400	2401	2402	2403	2404	2405	2406	2407	2408	2409	2410	2411	2412	2413	2414	2415	2416	2417	2418	2419	2420	2421	2422	2423	2424	2425	2426	2427	2428	2429	2430	2431	2432	2433	2434	2435	2436	2437	2438	2439	2440	2441	2442	2443	2444	2445	2446	2447	2448	2449	2450	2451	2452	2453	2454	2455	2456	2457	2458	2459	2460	2461	2462	2463	2464	2465	2466	2467	2468	2469	2470	2471	2472	2473	2474	2475	2476	2477	2478	2479	2480	2481	2482	2483	2484	2485	2486	2487	2488	2489	2490	2491	2492	2493	2494	2495	2496	2497	2498	2499	2500	2501	2502	2503	2504	2505	2506	2507	2508	2509	2510	2511	2512	2513	2514	2515	2516	2517	2518	2519	2520	2521	2522	2523	2524	2525	2526	2527	2528	2529	2530	2531	2532	2533	2534	2535	2536	2537	2538	2539	2540	2541	2542	2543	2544	2545	2546	2547	2548	2549	2550	2551	2552	2553	2554	2555	2556	2557	2558	2559	2560	2561	2562	2563	2564	2565	2566	2567	2568	2569	2570	2571	2572	2573	2574	2575	2576	2577	2578	2579	2580	2581	2582	2583	2584	2585	2586	2587	2588	2589	2590	2591	2592	2593	2594	2595	2596	2597	2598	2599	2600	2601	2602	2603	2604	2605	2606	2607	2608	2609	2610	2611	2612	2613	2614	2615	2616	2617	2618	2619	2620	2621	2622	2623	2624	2625	2626	2627	2628	2629	2630	2631	2632	2633	2634	2635	2636	2637	2638	2639	2640	2641	2642	2643	2644	2645	2646	2647	2648	2649	2650	2651	2652	2653	2654	2655	2656	2657	2658	2659	2660	2661	2662	2663	2664	2665	2666	2667	2668	2669	2670	2671	2672	2673	2674	2675	2676	2677	2678	2679	2680	2681	2682	2683	2684	2685	2686	2687	2688	2689	2690	2691	2692	2693	2694	2695	2696	2697	2698	2699	2700	2701	2702	2703	2704	2705	2706	2707	2708	2709	2710	2711	2712	2713	2714	2715	2716	2717	2718	2719	2720	2721	2722	2723	2724	2725	2726	2727	2728	2729	2730	2731	2732	2733	2734	2735	2736	2737	2738	2739	2740	2741	2742	2743	2744	2745	2746	2747	2748	2749	2750	2751	2752	2753	2754	2755	2756	2757	2758	2759	2760	2761	2762	2763	2764	2765	2766	2767	2768	2769	2770	2771	2772	2773	2774	2775	2776	2777	2778	2779	2780	2781	2782	2783	2784	2785	2786	2787	2788	2789	2790	2791	2792	2793	2794	2795	2796	2797	2798	2799	2800	2801	2802	2803	2804	2805	2806	2807	2808	2809	2810	2811	2812	2813	2814	2815	2816	2817	2818	2819	2820	2821	2822	2823	2824	2825	2826	2827	2828	2829	2830	2831	2832	2833	2834	2835	2836	2837	2838	2839	2840	2841	2842	2843	2844	2845	2846	2847	2848	2849	2850	2851	2852	2853	2854	2855	2856	2857	2858	2859	2860	2861	2862	2863	2864	2865	2866	2867	2868	2869	2870	2871	2872	2873	2874	2875	2876	2877	2878	2879	2880	2881	2882	2883	2884	2885	2886	2887	2888	2889	2890	2891	2892	2893	2894	2895	2896	2897	2898	2899	2900	2901	2902	2903	2904	2905	2906	2907	2908	2909	2910	2911	2912	2913	2914	2915	2916	2917	2918	2919	2920	2921	2922	2923	2924	2925	2926	2927	2928	2929	2930	2931	2932	2933	2934	2935	2936	2937	2938	2939	2940	2941	2942	2943	2944	2945	2946	2947	2948	2949	2950	2951	2952	2953	2954	2955	2956	2957	2958	2959	2960	2961	2962	2963	2964	2965	2966	2967	2968	2969	2970	2971	2972	2973	2974	2975	2976	2977	2978	2979	2980	2981	2982	2983	2984	2985	2986	2987	2988	2989	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[illegible]

Scale 1-50

022







N

SCALE: 1"=30'

17

OUTLOT 'B'

Proposed  
Sanitary  
Service

16

BO CREEK  
COURT

15

Proposed  
Water  
Service

RECEIVED

MAY 29 2003

025

EDC

Edenton Woods  
DRIVEWAY & UTILITY SERVICE EXHIBIT  
Lincoln, Nebraska

Drawn By: JRP  
Dwg.: Lot 17 Ex  
Date: 05/28/03  
Job#: 02-033

SHEET  
1 OF 1

# Memorandum

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**To:** Brian Will, Planning Department  
**From:** Chad Blahak, Public Works and Utilities  
**Subject:** Edenton Woods Preliminary Plat and Special Permit  
**Date:** 6/27/03  
**cc:** Randy Hoskins

Engineering Services has reviewed the resubmitted Preliminary Plat and Special Permit, located north of Hwy #2 and west of the Pine Lake development, and has the following comments:

- The turnarounds in Bo Creek Court and Bo Creek Bay do not meet subdivision requirements. It appears that 30' radius turnarounds would fit at both ends. The plans should be revised to show 30' radius turnarounds. A barricaded dead-end for a permanent turnaround is unsatisfactory.
- The requested waiver for street approach platform is acceptable to Public Works.
- Watershed management needs to review and approve of the engineers comparison between this plat and the Beals Slough Master Plan.
- According to the culvert calculations shown on the plans, the 50yr and the 100yr storms will flood the lots north of North Shore Drive. Also, the water elevation at the outlet of the culvert shown indicates that lots south of North Shore Drive along the channel will also be flooded. Public Works recommends that the lots be raised or reduced in depth to eliminate the flooding of any lot for any storm less than or equal to the 100yr storm.
- The minimum opening elevations shown for Lots 2 & 3 Block 3 are well below the grades shown for the swale that is shown on the property line. Revisions to the grades or the minimum elevations need to be made to address this issue.
- The areas designated as tree removal do not match the proposed grading contours. It appears more trees will need to be removed according to the contours. The contours need to be revised or the tree removal hatch needs to be adjusted accordingly.

C:\Windows\TEMP\t.notesusr.city.ncsbjw\Edentonwds-memo.wpd

**PUBLIC WORKS AND  
UTILITIES DEPARTMENT**



**MEMORANDUM**

**Date:** June 19, 2003

**To:** Brian Will  
**cc:** Ben Higgins, Chad Blahak

**From:** Devin Biesecker

**Subject:** *Edenton Woods*

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Below are Watershed Management's comments on the Edenton Woods preliminary plat. Comments are based on a four-sheet plan set and supplemental drainage calculations stamped May 29, 2003 by the Planning Department.

1. The breach analysis for Pine Lake Dam submitted with this preliminary plat shows a breach of the dam centered on the dam outlet. Water will initially flow over the dam at the location of the emergency spillway which is at the northern portion of the dam. If the dam breaches at this location it will most likely impact the lots adjacent to the emergency spillway. Documentation should be submitted stating how the location of the breach was chosen and why a breach analysis was not done assuming a breach near the emergency spillway.
2. Verify that the Pine Lake dam spillway will only flow with storm frequencies greater than 100 years. If the dam was originally designed to contain a 100 year storm show that the potential storage (average permanent pool elevation) is currently the same as the original plan. If the storage is less than the original plan and the spillway will flow with a storm frequency of under 100 years the lots adjacent to the flow from the spillway must be above the 100 year water surface elevation in the drainageway.
2. If excess storage capacity of the Willowbrook subdivision detention area is to be used by the Edenton Woods development an analysis of the outlet for the detention area must be done to compare pre-developed conditions to post-developed conditions. Changes in the water surface elevation of this detention area must be known to regulate future development of land surrounding the detention area.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION**

**TO:** Brian Will

**DATE:** June 11, 2003

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder  
Doug Smith

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** Bruce Dart, Director  
EH File  
EH Administration

**SUBJECT:** Edenton Woods  
SP #1992 PP #02023  
CZ #3387

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development with the following items noted:

- Water and sanitary sewer to be provided by the City of Lincoln.
- If water wells exist on the property, they must be properly decommissioned or permitted.
- If onsite wastewater systems exist on the property, they must be properly abandoned.
- The proposed development is located within the Firethorn Wellhead Protection Area. Best management practices (BMP) should be utilized to decrease the risk of groundwater contamination. For example, being conscientious regarding the use of lawn chemicals/fertilizers and ensuring the proper the storage of chemicals and/or fuels.
- All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.
- During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

- Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.

**Richard J Furasek**

To: Brian J Will/Notes@Notes

06/10/2003 02:30 PM

cc:

Subject: Edonton Woods

Upon reviewing special permit #1992, preliminary plat #02023, cz#3387, we find it acceptable from the perspective of our department. As we keep expanding, our resources are being thinned and response times will be greater.

Richard J. Furasek  
Assistant Chief Operations  
Lincoln Fire & Rescue  
1801 Q Street  
Lincoln Ne. 68508  
Office 402-441-8354  
Fax 402-441-8292

# Memo



**To:** Brian Will, Planning Department

**From:** Mark Canney, Parks & Recreation

**Date:** June 3, 2003

**Re:** Edenton Woods SP# 1992 PP# 02023# CZ 3387

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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. Areas labeled as Outlots "A", "B", & "C", to be maintained by the developer and/or the future homeowners association. Please include this note on the landscape plan.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



INTER-DEPARTMENT COMMUNICATION

DATE June 12, 2003

TO Brian Will, City Planning

FROM Sharon Theobald  
(Ext. 7640)

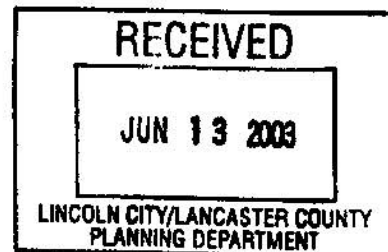
SUBJECT DEDICATED EASEMENTS  
DN#65S-75E

Attached is the Preliminary Plat for Edenton Woods.

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements over all the outlots.

*Sharon Theobald*



ST/ss  
Attachment  
c: Terry Wiebke  
Easement File



# Lincoln

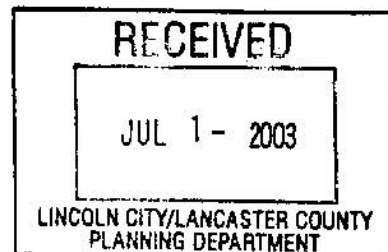


# Nebraska's Capital City

June 26, 2003

Pat Mooberry  
225 North Cotner Boulevard  
Lincoln, Nebraska 68505

RE: Edenton Woods Preliminary Plat



Dear Pat:

The purpose of this letter is to follow up on our meeting of June 19, 2003 regarding the proposed preliminary plat for Edenton Woods. During this meeting we discussed addressing provisions for neighborhood parks and trails pursuant to the subdivision code.

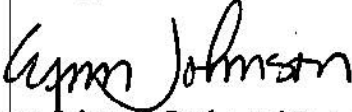
Edenton Woods is subject to section 26.23.160 of the Land Subdivision code regarding dedication of land for neighborhood parks. Edenton Woods is location immediately south of Edenton South Park. This neighborhood park is approximately four acres in size, including the recent acquisition of one acre of land at the north end of the park in conjunction with negotiations regarding the Parkers Landing development. It is understood that Edenton South Park is less than the standard eight to twelve acre neighborhood park area anticipated within the recently adopted Comprehensive Plan. Existing residential development in the Pine Lake neighborhood, and configuration of the Parkers Landing development precluded acquisition of sufficient land to reach this standard.

As we discussed, there is not land area within the proposed Edenton Woods preliminary plat that is suitable as an addition to the existing Edenton South Park site. The site has been developed utilizing a master plan that envisioned the potential of adding additional land to the east side of the park. Addition of land to the south would not enhance recreational use of the park. Therefore, we agreed that development of lots within Edenton Woods will be subject to payment of the neighborhood park and trail impact fees in lieu of dedication of park land, as provided for in Section 26.23.160. These funds will be used to construct additional improvements in Edenton South Park, and to assist with funding construction of the Antelope Creek Trail located east of the subdivision.

Please note that the earlier letter from Ray Hill to Bob Dean dated May 23, 2003 indicated that the Parks and Recreation Department determined that park land within Edenton Woods should be dedicated to the City. Subsequent to this letter being prepared we re-evaluated the need for additional parkland and determined that collection of impact fees would be preferable for the reasons outlined above. I apologize for any confusion that this may have caused.

I appreciated the opportunity to meet with you to discuss providing neighborhood park and trail facilities in the vicinity of the proposed Edenton Woods Preliminary Plat. Please phone me at 441-8265 with questions or comments.

Sincerely,

A handwritten signature in cursive script that reads "Lynn Johnson".

Lynn Johnson, Parks and Recreation Director

Cc: Ray Hill, Planning ✓